

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 DHA-02

IO-13 OMB-01 MCT-01 /075 W

-----121541Z 012135 /41

R 121201Z MAR 77

FM AMEMBASSY MADRID

TO SECSTATE WASHDC 9322

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY THE HAGUE

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY OSLO

AMEMBASSY PARIS

USMISSION NATO

USMISSION EC BRUSSELS

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E.O. 11652: N/A

TAGS: PINT

SUBJECT: GOVERNMENT APPROVES BROADENED AMNESTY MEASURES, WILL
MEET MARCH 15 TO SET ELECTORAL NORMS

REF: MADRID 1838

1. AS EXPECTED, THE CABINET MEETING MARCH 11 APPROVED
MEASURES EXTENDING THE APPLICABILITY OF THE JULY 1976
AMNESTY AND ESTABLISHING A BASIS FOR INDIVIDUAL PARDONS
OF THOSE NOT COVERED. IN SYNTHESIS, THE MEASURES:

--EXTENDED THE JULY 1976 AMNESTY TO THOSE WHO WERE EXCLUDED,
AS LONG AS THEY DID NOT COMMIT CRIMES AGAINST PERSONS;
-- GRANT A GENERAL PARDON TO THOSE EXCLUDED FROM THE 1976 AMNESTY
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BECAUSE OF PARTICIPATION OR COOPERATION IN EXCLUDED CRIMES, AS
LONG AS THEIR PARTICIPATION OR COOPERATION WAS NEITHER DIRECT
NOR ESSENTIAL;

-- GRANT A GENERAL PARDON OF UP TO 12 YEARS OFF
EXISTING SENTENCES FOR CRIMES OF POLITICAL MOTIVATION OR OF
OPINION COMMITTED BEFORE DECEMBER 15, 1976 (DATE OF THE REFERENDUM);
--EMPOWER THE GOVERNMENT, IN THE CASE OF CERTAIN CRIMES, TO GRANT

INDIVIDUAL PARDONS OR COMMUTATIONS OF SENTENCE OR TO EXTEND CON-
DITIONAL

LIBERTY TO THOSE NOT RELEASED UNDER THE PREVIOUS MEASURES;

--REDUCE THE SENTENCE IN ALL OTHER CASES BY ONE-FOURTH.

2. JUST HOW FAR THE AMNESTY WILL EXTEND, THEN, REMAINS
TO BE DETERMINED BY THE GOVERNMENT ON A CASE-BY-CASE
BASIS. TAKING A POSITIVE LINE, THE LIBERAL LEFT "EL PAIS"
MARCH 12 HEADLINED "THE GOVERNMENT WILL BE ABLE TO
FREE ALL THE POLITICAL PRISONERS," AND QUOTED "QUALIFIED
JURIDICAL OBSERVERS" AS JUDGING THAT THE MEASURES ENABLED
THE GOVERNMENT TO FREE EVEN THOSE PRISONERS QUILTY OF
BLOOD CRIMES. THE CONSERVATIVE "BC", FOR ITS PART,
INVEIGHED (AS IT HAS BEFORE) AGAINST THE RELEASE OF
THOSE GUILTY OF BLOOD CRIMES, A POSITION HELD WITH SOME
FERVOR IN CONSERVATIVE CIRCLES IN THE FACE OF OPPOSITION
CALLS FOR TOTAL AMNESTY. CONFRONTED WITH THIS CONFLICT,
THE GOVERNMENT MUST ALSO KEEP A SPECIAL EYE ON THE BASQUE
COUNTRY, WHERE THE AMNESTY ISSUE HAS PARTICULAR SIGNIFI-
CANCE BECAUSE SO MANY OF THE REMAINING POLITICAL PRISONERS
ARE BASQUES. THE SITUATION IN GUIPUZCOA REMAINED TENSE,
WITH POLICE AND DEMONSTRATORS CLASHING AGAIN MARCH 11
AS DISTURBANCES CONTINUED FOLLOWING THE POLICE SHOOTING
OF TWO ETA MEMBERS (MADRID 1882).

3. THE CABINET MARCH 11 ALSO DECIDED TO HOLD A
SPECIAL MEETING MARCH 15 TO APPROVE THE ELECTORAL LAW. EATON

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Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Date: 22 May 2009
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Disposition History: n/a
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Disposition Remarks:
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